

EXHIBIT “1”

23-A-01876-9

3/8/2023 11:30 AM

TIANA P. GARNER, CLERK

General Civil and Domestic Relations Case Filing Information Form

☒ Superior or ☐ State Court of Gwinnett Superior Court County

For Clerk Use Only

Date Filed _____
MM-DD-YYYYCase Number 23-A-01876-9

Plaintiff(s)

Samadi, Mike

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Defendant(s)

Guarantee Trust Life Insurance Company

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Last First Middle I. Suffix Prefix

Plaintiff's Attorney _____ State Bar Number _____ Self-Represented ☒

Check one case type and one sub-type in the same box (if a sub-type applies):

General Civil Cases

- ☐ Automobile Tort
☐ Civil Appeal
☐ Contempt/Modification/Other
Post-Judgment
☐ Contract
☐ Garnishment
☒ General Tort
☐ Habeas Corpus
☐ Injunction/Mandamus/Other Writ
☐ Landlord/Tenant
☐ Medical Malpractice Tort
☐ Product Liability Tort
☐ Real Property
☐ Restraining Petition
☐ Other General Civil

Domestic Relations Cases

- ☐ Adoption
☐ Contempt
☐ Non-payment of child support,
medical support, or alimony
☐ Dissolution/Divorce/Separate
Maintenance/Alimony
☐ Family Violence Petition
☐ Modification
☐ Custody/Parenting Time/Visitation
☐ Paternity/Legitimation
☐ Support – IV-D
☐ Support – Private (non-IV-D)
☐ Other Domestic Relations

☐ Check if the action is related to another action pending or previously pending in this court involving some or all of the same: parties, subject matter, or factual issues. If so, provide a case number for each.

Case Number _____

Case Number _____

☒ I hereby certify that the documents in this filing, including attachments and exhibits, satisfy the requirements for redaction of personal or confidential information in OCGA § 9-11-7.1.

☐ Is a foreign language or sign-language interpreter needed in this case? If so, provide the language(s) required.

_____ Language(s) Required

☐ Do you or your client need any disability accommodations? If so, please describe the accommodation request.



03/09/2023

CT Log Number 543375722

Service of Process Transmittal Summary

TO: Robert Baluk, General Counsel
 Guarantee Trust Life Insurance Company
 1275 MILWAUKEE AVENUE
 GLENVIEW, IL 60025

RE: Process Served in Georgia

FOR: Guarantee Trust Life Insurance Company (Domestic State: IL)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: MIKE SAMADI vs. GUARNTTEE TRUST LIFE INS. CO.

CASE #: 23A018769

NATURE OF ACTION: Insurance Litigation

PROCESS SERVED ON: C T Corporation System, Lawrenceville, GA

DATE/METHOD OF SERVICE: By Process Server on 03/09/2023 at 11:49

JURISDICTION SERVED: Georgia

ACTION ITEMS: CT will retain the current log
 Image SOP
 Email Notification, Robert Baluk rbalu@gtlic.com
 Email Notification, Christine Geraghty cgera@gtlic.com
 Email Notification, Cathy Martin cmart@gtlic.com

REGISTERED AGENT CONTACT: C T Corporation System
 289 S. Culver St.
 Lawrenceville, GA 30046
 866-203-1500
 DealTeam@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.



PROCESS SERVER DELIVERY DETAILS

Date: Thu, Mar 9, 2023
Server Name: Drop Service

Entity Served	GUARANTEE TRUST LIFE INSURANCE COMPANY
Case Number	23-A-01876-9
Jurisdiction	GA

Inserts		



Civil Action No. _____

Date Filed _____

Magistrate Court ☐
 Superior Court ☐
 State Court ☐
 Georgia, Gwinnett County

Attorney's Address _____

Plaintiff

VS.

Name and Address of party to be served. _____

Defendant

Garnishee

Sheriff's Entry Of ServicePersonal ☐

I have this day served the defendant _____ personally with a copy of the within action and summons.

Notorious ☐

I have this day served the defendant _____ by leaving a copy of the action and summons at his most notorious place of abode in this County.
 Delivered same into hands of _____ described as follows
 age, about _____ years; weight, about _____ pounds; height, about _____ feet and _____ inches; domiciled at the residence of defendant.

Corporation ☐

Served the defendant _____ a corporation
 by leaving a copy of the within action and summons with _____
 in charge of the office and place of doing business of said Corporation in this County.

Tack & Mail ☐

I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

Non Est ☐

Diligent search made and defendant _____
 not to be found in the jurisdiction of this Court.

This _____ day of _____, 20____

Deputy

Sheriff Docket _____ Page _____

Gwinnett County, Georgia

WHITE: Clerk

CANARY: Plaintiff / Attorney

PINK: Defendant

23-A-01876-9

3/8/2023 11:30 AM
TIANA P. GARNER, CLERK

**IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

MIKE SAMADI

PLAINTIFF

V.

GUARNTTEE TRUST LIFE INS. CO.

DEFENDANTS.

CIVIL ACTION FILE NUMBER

23-A-01876-9

JURY TRIAL IS REQUESTED

SUMMONS

TO THE ABOVE-NAMED DEFENDANT:

Guarantee Trust Life Ins. Co.
c/o CT Corporation System
289 S Culver St.
Lawrenceville, GA, 30046- 4805, Gwinnett County, USA

You are hereby summoned and required to file with the Clerk of said Court and serve upon Plaintiff, whose name and address is:

Mike Samadi
1817 Prince George Ave.
Evans, GA 30809

You are required to answer the Complaint, which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service; unless proof of service of this Complaint is not filed within five (5) days of such service; then time to answer shall not commence until such proof of service has been filed. IF YOU FAIL TO DO SO, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

This 8th day of March 2023

Clerk of Superior Court

By 

To defendant upon whom this petition is served:

This copy of Complaint and Summons was served upon you on _____,
2021.

(Signature)

**IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

MIKE SAMADI

PLAINTIFF

V.

GUARNTTEE TRUST LIFE INS. CO.

DEFENDANTS.

CIVIL ACTION FILE NUMBER

23-A-01876-9

JURY TRIAL IS REQUESTED

COMPLAINT

Plaintiff, Mike Samadi respectfully files this action against the above-named Defendant claiming damages because of Bad Faith, Deception and Fraud, as well as other relevant statutes; requesting damages to include punitive damages and Pre-Judgment interest, and show the Honorable Court the followings:

This Complaint is being filed in accordance with all applicable Georgia Statutes of Fraud and Deception, and Bad Faith.

PARTIES

1. Plaintiff Mike Samadi ("Samadi") is a pro se, Sui Juris adult resides at 1817 Prince George Ave., Evans, GA 30809
2. Defendant Guarantee Trust Life Insurance Company (hereinafter "GTL") is a foreign for-profit corporation, headquartered at 1275 Milwaukee Ave., Glenview, Illinois. GTL does business in State of Georgia and is registered with the Georgia Secretary of State and can be served at the address:

Guarantee Trust Life Ins. Co., c/o CT Corporation System
289 S Culver St.
Lawrenceville, GA, 30046- 4805, Gwinnett County, USA

GTL provides life insurance policy for consumers and those who are interested in holding

life policies with GTL in the state of Georgia.

VENUE AND JURISDICTION

3. GTL is a **Foreign Insurance Company** located in Glenview, IL, and is doing business in Georgia and is subject to the laws of Georgia. Moreover, the unlawful acts and omissions giving rise to this Complaint occurred in Georgia. Ga. Const. 1983, Art 6, Sec. 2, Par. 6, O.C.G.A. § 9-10-30.

FACTUAL ALLEGATIONS

4. On or about January 2009, John J Sherlock applied for a life insurance through GTL. After its tests and investigations, GTL issued a life insurance policy to John Sherlock on or about February 5, 2009. Shortly later, Sherlock changed his address to Plaintiff's address and named Plaintiff and his wife to be as the beneficiary and owner of the policy. GTL made the changes and confirmed the same on or about January 11, 2010 and in a subsequent conversation WITH Samadi on or about February 16, 2010.

5. The policy premiums were being paid without interruption by Plaintiff via auto-drafted from his checking account and there was no reason for cancellation of policy.

6. From time to time, GTL would send correspondences to Sherlock at his new address 4555 Bettys Branch Way, Evans, GA 30809 (Plaintiff address also). GTL would receive any reply needed by Sherlock or Plaintiff accordingly.

7. Through years, Plaintiff contacted GTL to just make certain that the policy is in effect without any issues. From time to time, he would record the telephone conversations or would receive a confirmation letter from GTL. There never were any issues.

8. However, sometimes in 2016, the auto-draft stopped. Plaintiff did not immediately notice the lack of draft, but shortly thereafter, he received a letter from GTL dated June 9, 2016,

received in mid-June, claiming that the policy is voided because, on November 10, 2014, GTL sent Sherlock a verification form or correspondence to his old address and he never responded.

9. GTL negligence and failure to properly send notice to the insured, policy holder and beneficiary could be echoed again, since Sherlock had changed his address to Plaintiff's address and had moved from the initial address he had provided to GTL. Sherlock's move from his old address was almost a year after he obtained the policy.

10. GTL's further negligence and failure could also be echoed that it (GTL) did not send any communication, verification, or forms to Sherlock's new address nor to the Plaintiff (owner and beneficiary or the other partial owner).

11. GTL's further negligence and failure could also be noted that when it did not receive any correspondences from Sherlock at his old address, it did not take any initiative to correspond with Sherlock at his new address or communicate with Plaintiff (the owner and beneficiary) raising any issues about the lack of correspondence from Sherlock at his old address. It just arbitrary stopped the policy and claimed that it issued and attached a check to the letter of June 9, 2016, addressed to owners of the policy.

12. However, GTL also was negligence to include a check (which it stated in its letter) to Samadi (policy owner).

13. On repeated conversation in August 2016, Plaintiff not only discussed the act that GTL sent verification request to a wrong address, but also stated that GTL never attached a check along with its letter to Samadi. However, Ms. Bessie of GTL claims department repeatedly stated that the check was issued and she has a copy in her file. Plaintiff repeatedly argued that she can have 10,000 copies of the check in her file but attaching/sending the actual check is not the same as having copies in the file.

14. For the next few days, Plaintiff not only sent Sherlock's driver license, but also his social security card via Fax to GTL, but GTL kept stating that it did not receive any fax.

15. On or about August 20, 2016, Plaintiff faxed a demand letter to reinstate and again faxed a copy of Sherlock's information for verification. However, GTL refused to reinstate. IN fact, GTL refused to even reissue the check it claimed it sent-out to Samadi.

16. Finally, after Plaintiff's several attempt to reinstate policy, on September 11, 2020, GTL sent him a letter of denial for his demand to reconsider.

17. Yet, instead of sending to Plaintiff the original check or reissuing the check (if the original check was lost), GTL decided to keep the funds and sent Plaintiff a letter dated January 19, 2022, claiming that there is an "Unclaimed fund". Yet, when Plaintiff contacted GTL on February 4, 2022, it still denied Plaintiff the funds.

18. Hence the same day, Plaintiff filed a complaint with the Georgia Office of Commissioner of Insurance (OCI). In response, GTL filed a response that further showed its fraud, stating to the OCI that, "*In fact, as of today, we still have not received any documentation about Sherlock...*". When in fact, not only in 2016 Plaintiff provided such verification GTL requested, but also attached a copy of what he had provided to GTL in 2016, via his complaint to the OCI and attached a copy of the documentation to his complaint which OCI provided to GTL as part of Plaintiff's complaint and requested GTL to respond.

19. Since 2016, GTL has not only acted in bad faith, but also intentionally made false statement to defraud Plaintiff. In fact, if GTL was honest and sincere, it would pursue the followings:

- a. Would have accepted the documentation in which requested from plaintiff and Plaintiff had repeatedly faxed to it as the evidence for reinstating the policy.

- b. Even if GTL did not want to reinstate the policy and was dead set against such reissuance, when Plaintiff repeatedly stated that he did not receive any check, it should have reissued the check.
- c. Even if it did not want to reissue the check (which at minimum was rightfully Plaintiff's and the other policy holder), when it sent a letter of "Unclaimed funds" to Plaintiff, it should have then released the funds to him.
- d. Finally, when Plaintiff filed a complaint with OCI, GTL should have not lied, stating that as of this day, it did not receive the information it requested, when in fact, such information was attached to the complaint filed with OCI.

PRAYER FOR RELIEF

Based on every allegation of this Complaint, Plaintiffs respectfully prays that the Court to:

- A. Assume jurisdiction over this matter;
- B. Declare the actions of the Defendant to be unconscionable;
- C. Declare that the allegations above violate Georgia laws;
- D. Order the Defendant to restate the policy;
- C. Award damages to the Plaintiff against the Defendant for the damages sustained because of the Defendant's wrongdoing, together with interest thereon in the amount to be proven at trial;
- D. Award punitive damages due to fraud, deceptions, and tort; in an amount sufficient to deter Defendant's unlawful activity in the future;
- F. Awards consequential damages, and damages for Defendant's Bad Faith;

G. Award Plaintiff for unreasonable time consumption to communicate with Defendant and OCI and to prepare, file, bring this action as well as time for any future defense and pleadings. Furthermore, award for fees and expenses that has and will be incurred in this action, including allowance for reasonable attorney's fees (as may be required);

H. Award Pre-Judgment interest as stated to the Defendant during communication with its representatives;

I. Grant other and further relief as the Court may deem just and proper; and

J. Allow amendment of this complaint at any future time, as it may be deemed necessary during this litigation.

JURY DEMAND. Plaintiff hereby demands a trial by jury on all issues triable as of right by a jury.

Respectfully Submitted on this 8th day of March 2022.

Mike Samadi

Mike Samadi, *Pro Se* Plaintiff

1817 Prince George Ave.
Evans, GA 30809
(706) 3640-0555

**IN THE SUPERIOR COURT OF GWINNETT COUNTY
STATE OF GEORGIA**

MIKE SAMADI

PLAINTIFF

V.

GUARNTTEE TRUST LIFE INS. CO.

DEFENDANTS.

CIVIL ACTION FILE NUMBER

23-A-01876-9

JURY TRIAL IS REQUESTED

SUMMONS

TO THE ABOVE-NAMED DEFENDANT:

Guarantee Trust Life Ins. Co.
c/o CT Corporation System
289 S Culver St.
Lawrenceville, GA, 30046- 4805, Gwinnett County, USA

You are hereby summoned and required to file with the Clerk of said Court and serve upon Plaintiff, whose name and address is:

Mike Samadi
1817 Prince George Ave.
Evans, GA 30809

You are required to answer the Complaint, which is herewith served upon you, within 30 days after service of this summons upon you, exclusive of the day of service; unless proof of service of this Complaint is not filed within five (5) days of such service; then time to answer shall not commence until such proof of service has been filed. IF YOU FAIL TO DO SO, JUDGMENT BY DEFAULT WILL BE TAKEN AGAINST YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

This 8th day of March 2023

Clerk of Superior Court

By  _____

To defendant upon whom this petition is served:

This copy of Complaint and Summons was served upon you on _____,
2021.

(Signature)

Civil Action No. 23-A-01876-9
 Date Filed 3/8/2023

Magistrate Court ☐
 Superior Court ☒
 State Court ☐
 Georgia, Gwinnett County

Hamid/Mike Samadi

Attorney's Address

Hamid/Mike Samadi
1817 Prince George Ave.
Evans, GA 30809 706-364-0555

Plaintiff

VS.
Guarantee Trustlife Ins. Co.

Name and Address of party to be served.

Q/O ET Corporation System
289 3. Culver St.
Lawrenceville, GA 30046
Gwinnett, USA

Defendant

RECEIVED

2023 MAR -8 PM 3:45

CIVIL DIV.
 G.S.C.
 Garnishee

Sheriff's Entry Of Service

Personal ☐

I have this day served the defendant _____ personally with a copy of the within action and summons.

Notorious ☐

I have this day served the defendant _____ by leaving a copy of the action and summons at his most notorious place of abode in this County.

Delivered same into hands of _____ described as follows _____ age, about _____ years; weight, about _____ pounds; height, about _____ feet and _____ inches; domiciled at the residence of defendant.

Corporation ☒

Served the defendant Guarantee Trust Life Ins. Co. a corporation by leaving a copy of the within action and summons with Jane Richardson in charge of the office and place of doing business of said Corporation in this County.

FILED IN OFFICE
 SUPERIOR COURT
 GWINNETT COUNTY, GA
 2023 MAR 10 AM 9:58
 TIANAP. GARNER, CLERK

Tack & Mail ☐

I have this day served the above styled affidavit and summons on the defendant(s) by posting a copy of the same to the door of the premises designated in said affidavit, and on the same day of such posting by depositing a true copy of same in the United States Mail, First Class in an envelope properly addressed to the defendant(s) at the address shown in said summons, with adequate postage affixed thereon containing notice to the defendant(s) to answer said summons at the place stated in the summons.

Non Est ☐

Diligent search made and defendant _____ not to be found in the jurisdiction of this Court.

This 9 day of Mar, 2023

H. Higgins 50541
 Deputy

Sheriff Docket _____ Page _____

Gwinnett County, Georgia

WHITE: Clerk

CANARY: Plaintiff / Attorney

PINK: Defendant

Gwinnett County Sheriff's Office

Cover Sheet



Sheriff #: 23008042



Person Served: Guarantee Trust Life Insurance Company
289 SOUTH CULVER STREET
C/O CT CORPORATION SYSTEM
LAWRENCEVILLE GA 30046
PHONE:

Process Information:

Date Received: 03/08/2023

Assigned Zone: 289 S. Culver

Court Case #: 23-A-01876-9

Expiration Date:

Hearing Date:

Paper Types: COMPLAINT

Notes/Alerts:

Notes:

Case Information

SAMADI VS GUARNTTEE TRUST LIFE INS CO

23-A-01876-9

Location	Case Category	Case Type	Case Filed Date
Gwinnett - Superior Court	Civil	Tort - General	3/8/2023
Judge	Case Status		
Mason, Tracey D	Open (Pending)		

Parties ²

Type	Name	Nickname/Alias	Attorneys
Plaintiff	MIKE SAMADI		Pro Se
Defendant	GUARNTTEE TRUST LIFE INS CO		Pro Se

Events ⁴

Date	Event	Type	Comments	Documents
3/8/2023	Filing	Complaint with Jury Demand	2	MS2.pdf
3/8/2023	Filing	General Civil/Dom Relations Case Filing Form	Gwinnett County Case Information Sheet	General Civil/Dom Relations Case Filing Form.pdf
3/8/2023	Filing	Summons	1	MS1.pdf
3/10/2023	Filing	Sheriff/Marshall's Service		Sheriffs Entry of Service.tif